# Intermediary Foundation of the Universal Declaration of Human Rights

Aan: ICCBA p/a Vergadering van Statenpartijen. Statuut van Rome door ICC

Oude Waalsdorperweg 10, 2597 AK, Den Haag, Nederlandinfo@iccbaabcpi.org

Onze mening

Mierlo, 29 juli 2025

Re: Zetelovereenkomst tussen het Internationaal Strafhof en het Gastland, Den Haag, 07 06 2007

Overwegende dat artikel 3, paragrafen 1 en 2, van het Statuut van Rome respectievelijk,  dat de zetel van het Hof zal worden gevestigd in Den Haag in Nederland en dat het Hof een hoofdkantoorovereenkomst zal aangaan met de gaststaat, die moet worden goedgekeurd door de Vergadering van Statenpartijen.

Met de brief van de Minister van Buitenlandse Zaken – datum: 28 juli 2025, referentie: BZ2518854 – betreffende sancties tegen de Staat Israël, beoogt Nederland zijn ernstige falen om aan zijn verplichtingen te voldoen te rechtvaardigen. "Krokodillentranen op het laatst, net zoals wanneer het kalf is verdronken, zo gaat het gezegde. Hoewel Nederland al in 2024 wist dat er misdaden tegen de menselijkheid werden gepleegd — genocide is een term die moet worden uitgesproken door het Strafhof of het ICC — is de Nederlandse Staat medeplichtig aan misdaden tegen de menselijkheid.

Gedurende de gehele periode van 2023 tot 2025 heeft de Nederlandse Staat en zijn vertegenwoordigers een duidelijke pro-Israël houding aangenomen. Verwijs ook naar de verschillende moties in de Tweede Kamer. Slechts enkele politieke partijen in de Tweede Kamer wezen duidelijk op de ernstige gevaren, en zij werden weggestemd. Het feit dat Nederland een aanvullende vrijwillige bijdrage van 3 miljoen euro aan het Internationaal Strafhof (ICC) heeft beloofd, bovenop de eerdere bijdrage van 3 miljoen euro uit 2022 en 2023. Deze aanvullende bijdrage die is bedoeld om de onderzoekscapaciteit van het Hof te versterken, met name in de context van onderzoeken naar internationale misdaden en schending van mensenrechten. Het is hierbij irrelevant, (IFUD of Human Rights).

Het zou gepaster zijn om het ICC naar een ander gastland te verplaatsen.

De Nederlandse regering gebruikt Den Haag, "Stad van Vrede en Recht" puur als een politiek instrument om de stad Den Haag te promoten.

Hoogachtend,

IFUD of Human Rights

Voorzitter

J.P. van den Wittenboer

# Intermediary Foundation of the Universal Declaration of Human Rights

To : ICCBA p/a

Assembly of States Parties Statute of Rome by ICC

Oude Waalsdorperweg 10, 2597 AK, The Hague, The Netherlands
info@iccba-abcpi.org

Our opinion
Mierlo, July 29 2025

Re: Seat Agreement between the International
Criminal Court and the Host Country, The Hague, 07-06-2007

Whereas article 3, paragraphs 1 and 2, of the Rome Statute respectively provide that the seat of the Court shall be established at The Hague in the Netherlands and that the Court shall enter into a headquarters agreement with the host State, to be approved by the Assembly of States Parties.

With the letter from the Minister of Foreign Affairs – date: July 28 2025, reference: BZ2518854- concerning sanctions against the State of Israel , the Netherlands aims to justify its serious failure to comply with its obligations . "Crocodile tears are shed quickly, just as the calf is drowned, so the saying goes. Although the Netherlands already knew in 2024 that crimes against humanity were being committed—genocide is a term that must be issued by the Criminal Court or the ICC—the Dutch State is complicit in crimes against humanity. Throughout the entire period from 2023 to 2025, the Dutch State and its representatives have adopted a clear pro- Israel stance. Please also refer to the various motions in Parliament. Only a few political parties in the House of Representatives clearly pointed out the serious dangers, and they were voted out. The fact that the Netherlands pledged an additional voluntary contribution of 3 million euros to the International Criminal Court (ICC), on top of the previous contribution of 3 million euros from 2022 and 2023. This additional contribution is intended to strengthen the Court's investigative capacity, particularly in the context of investigations into international crimes and human rights violations. It is irrelevant . (IFUD of Human Rights ).

**It would be more appropriate to move the ICC to another host country. The Dutch government uses The Hague, "City of Peace and Justice," purely as a political instrument to promote the city of The Hague.**

https://archive.org/details/exploot-l-4401255

https://archive.org/details/letter-situation-israel-vs-gaza

https://archive.org/details/position-paper-m.-de-hoon-t.b.v.-rondetafelgesprek-situatie-in-gaza-d.d.-28-mei-2025-en

Sincerely

IFUD of Human Rights

Chairman

J.P. van den Wittenboer

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Ministerie van Buitenlandse Zaken

**UNCLASSIFIED / NO MARKING**

To the Chairman of the

House of Representatives of the States General

Princess Irene Street 6

The Hague

**Ministry of Foreign Affairs**

**Business**

www.minbuza.nl

**Our reference**

BZ2518854

**Your reference**

2025Z14892/2025D34405

**Attachment(s)**

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Date July 28, 2025

Regarding the letter to Parliament regarding the request for a letter regarding agreements with Israel on the accountability for the situation in Gaza

Dear Mr President,

With this letter I am responding to your request for a letter to Parliament on the humanitarian situation in the Gaza Strip dated 25 July.

**Current situation**

The war in Gaza must stop. The Gazan population is suffering extreme and persistent hardship as a result of the Israeli humanitarian blockade. Lack of food, clean drinking water, medicine, and shelter is leading to unbearable living conditions. The humanitarian emergency is accompanied by ongoing violence due to the continued failure to reach a ceasefire. The UN Office for the Coordination of Humanitarian Affairs (OCHA) reports that more than one million children are increasingly facing hunger and malnutrition, and that the number of deaths from malnutrition is rising.

To release all hostages, alleviate humanitarian needs and achieve a lasting solution, it remains essential that a ceasefire is reached as soon as possible
Israel and Hamas. Unfortunately, the cabinet notes that the negotiations have stalled. The cabinet is in close contact with partners who play a mediating role in the negotiations, including Qatar, Egypt, and the United States. On July 25, Israel and the United States announced their withdrawal from the ceasefire negotiations, citing Hamas's alleged failure to act in good faith. Together with our Arab partners and Turkey, the cabinet continues to pressure Hamas for a ceasefire.

The cabinet cannot make precise statements about the parties' positions during the negotiations. However, the cabinet recognizes that Hamas bears significant (joint) responsibility for the failure to reach the ceasefire and continues to pose a threat to Israel's security. The cabinet harbors no illusions about Hamas's intentions and actions. Hamas is a terrorist organization that has oppressed its own people for years, violated human rights, and unleashed a spiral of violence through its horrific actions of October 7, 2023. Hamas used Gazans as human shields, enriched itself with humanitarian aid, among other things, and currently still holds fifty hostages in the Gaza Strip, at least twenty of whom are believed to be alive. The cabinet remains

Underscore that Hamas must immediately release its hostages and surrender its weapons. There is no place for Hamas in the future of the Gaza Strip. The Netherlands therefore remains a leader in pushing for additional EU sanctions against Hamas and *Palestinian Islamic Jihad.*

In response to mounting pressure to alleviate humanitarian needs in the Gaza Strip, Israel announced on July 26 that it would implement temporary measures (including ceasefires and safe routes) to facilitate the improved entry and distribution of humanitarian aid. Israel also announced it would open its airspace for food airdrops over the Strip. It is crucial that Israel immediately follow through and take measures that will lead to a substantial and rapid improvement in the humanitarian situation throughout the Gaza Strip.

It is also crucial that the announced expansion of humanitarian access is permanent. For this reason, the Netherlands continues to urge the Israeli authorities to further expand and consolidate humanitarian access to the entire Gaza Strip.
The Netherlands continues to emphasise that aid should be provided through professional, mandated organisations.

The chaos and casualties at *Gaza Humanitarian Foundation* distribution points
(GHF) attacks are unacceptable. The GHF's aid mechanism and activities are inconsistent with the humanitarian principles of humanity, impartiality, independence, and neutrality, involve forced displacement, and lead to deadly situations.

**Commitment: pressure and dialogue**

According to the cabinet, the course the Israeli Security Cabinet has taken since the ceasefire was broken on March 18th does not contribute to the release of the hostages kidnapped by Hamas; it does not contribute to the delivery of necessary aid to the suffering population of the Gaza Strip; and it does not contribute to lasting stability for the Israeli population. Moreover, under international humanitarian law, Israel, as the occupying power, is obligated to provide the civilian population in the Gaza Strip with, among other things, sufficient food, clean drinking water, and medicine. Furthermore, Israel is obligated to allow and facilitate the delivery of humanitarian aid by impartial third parties. Israel is not sufficiently fulfilling these obligations. The cabinet continues to emphasize this to the Israeli government.

The government is committed to improving the situation through a combination of pressure and dialogue. For this reason, the Netherlands initiated an evaluation of Article 2 of the EU-Israel Association Agreement in May within the EU. This was prompted by the catastrophic humanitarian situation in the Gaza Strip, but also by the deteriorating situation in the West Bank and Israeli steps that further distance a two-state solution. The High Representative (HR) and the European External Action Service (EEAS) concluded in June that there were indications

that Israel would be in breach of its obligations under Article 2 of the Agreement.

The High Representative shared this outcome with Israel, urging urgent action for an immediate improvement in the situation on the ground. The EU and Israel subsequently reached an agreement on humanitarian access to the Gaza Strip. The cabinet
saw the agreement as a step in the right direction, but immediately stated that it should be implemented as quickly as possible and that it is crucial that Israel honors the agreements made with the EU. This means that, among other things,

Border crossings must be open to deliver aid on a large scale. Once inside, the aid must be distributed safely and unhindered, ensuring it reaches all those in need. The Netherlands stated at the Foreign Affairs Council meeting of July 15 that the potential measures should remain on the table if the situation on the ground does not improve. During the Council, the Netherlands also advocated for the Commission to develop several of the potential measures in advance, so that pressure can be quickly increased if the situation warrants it. The government also urged monitoring of the agreement.

HR Kallas has communicated that the European Commission will report biweekly on the state of affairs.
On July 23, the EEAS provided an initial status update.
The implementation of the agreement was presented to the Permanent Representatives of the Member States. The EU stated that the implementation of the agreement is seriously deficient.
Israel, however, continues to deny independent observers access to the Gaza Strip.

The Netherlands wants to contribute as much as possible to alleviating the suffering of the Gazan population. Therefore, the government is exploring the possibility of a Dutch contribution to supplies by land and/or air, as has been done in the past in various ways with Jordan, other Arab partners, and allies.

Aerial food drops are a relatively expensive and risky aid instrument and, given their scale, can never replace aid delivered by land. Therefore, the Netherlands is taking steps to further support land-based aid. With an additional contribution of €1.5 million to the UN Office for Project Support Services (UNOPS), the Netherlands is contributing to the continued operation of the land route via Jordan, a key humanitarian supply route. The Netherlands is also helping, through UNOPS, to fund monitoring capacity for humanitarian aid in the Gaza Strip. Furthermore, the Netherlands will make an additional contribution of €3 million to the Netherlands Red Cross, which will continue its support for the essential work of the Palestinian Red Crescent in the Gaza Strip. This contribution enables these organizations to quickly scale up their operations when the situation allows and to maximize the use of ceasefires and other measures. With this, the Netherlands is sending an important message.

off: unhindered, unlimited and secure access for professional aid organizations like the UN and the Red Cross and Crescent Movement is the only way to solve the humanitarian catastrophe in the Gaza Strip and combat hunger.

There is a widespread shortage of medical infrastructure and medicines in the Gaza Strip. The Netherlands is therefore supporting the recent medical evacuations through the Rafah border crossing, allowing Gazan patients to be treated in Egypt. Medical treatment in the region is now preferred.

Sufficient expertise is available. The Netherlands is exploring the possibility of providing financial and practical support for medical evacuations, including within the EU.
In addition, the Netherlands continues its diplomatic efforts to persuade Israel to facilitate unhindered and safe medical evacuations, including to the West Bank (including East Jerusalem).

**Way forward *EU track***

On Tuesday, July 29, the European Commission will again report to the Permanent Representatives of the Member States on the implementation of the humanitarian agreement between the EU and Israel. If the Commission concludes that Israel

If the aforementioned agreements are not complied with, the Netherlands will advocate for significant steps within the EU. Specifically, in that case, the government will strive for a suspension of the trade section of the Association Agreement between the EU and Israel. The European Commission has now proposed suspending cooperation between Israel and the *European Innovation Council* (EIC), part of Horizon Europe, the EU's largest research and innovation program. In that case, the government supports this proposal, which would support European investments in the potential development of *dual-use*

technology by Israeli companies would be further restricted.

The Cabinet will also, in collaboration with like-minded partners, push for a European Commission proposal for trade policy measures regarding the import of goods from Israeli settlements in illegally occupied territory, in accordance with the Van Campen and Boswijk motion.1

***National rail***

To inform Israel about the steps the cabinet is taking, the Israeli ambassador will be summoned at the ministerial level. Summoning the ambassador
The summons will also be used to strongly urge Israel once again to urge the Netherlands to call on the Netanyahu government to change course. The current situation is intolerable and indefensible. The summons will also be used to remind Israel to comply with its obligations under international humanitarian law.

During the Foreign Affairs Council meeting of June 23, the Netherlands supported the Swedish initiative to sanction extremist Israeli ministers, in line with the amended Klaver motion. There is currently no unanimity in the Council for such a step. The cabinet has therefore decided to declare Israeli ministers Smotrich and Ben-Gvir persona non grata and is committed to registering them as undesirable aliens in the Schengen Registration System (SIS).
This is because they have repeatedly incited settler violence against the Palestinian population, persistently advocated the expansion of illegal settlements, and called for ethnic cleansing in the Gaza Strip.

Given the deteriorating situation in the West Bank, the Netherlands remains committed to sanctioning violent settlers and settler organizations in the EU. The Netherlands also continues to emphasize that Minister Smotrich's announcement to withdraw the *banking waiver* must not be formalized and that Israel must transfer the *clearance revenues* to the Palestinian Authority. The Netherlands strongly opposes the Israeli E1 settlement plan, which would divide the West Bank in two, violate international law, and undermine a two-state solution.

The Cabinet is clear regarding Dutch arms exports: as the
Given the current situation in Gaza, it is virtually impossible to grant a license for the export to Israel of weapons that could contribute to the activities of the Israeli armed forces in the Gaza Strip or the West Bank. Since October 7, 2023, the government has rejected eleven license applications for the export of military goods and dual-use goods with a military end-use in Israel. See also the letter to Parliament dated December 9, 2024.

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[1] Parliamentary document 21 501-02 no. 3196

[2] Parliamentary document 36 715, no. 30

At the same time, the cabinet attaches great importance to Israel's right to self-defense, in accordance with international law. In this context, the cabinet has issued two permits since October 7, 2023, for the export of components for Israel's Iron Dome air defense system via Germany, in accordance with the Kahraman motion.

Due to the withdrawal and adjustment of the general permits for exports with Israel as a possible final destination, the cabinet has taken the final steps to also Excluding low-risk transactions from general licensing requirements. This measure is in addition to the already very careful review of all other license applications for the export of strategic goods to Israel. See also the letter to Parliament dated April 7th.

As recently communicated to your House in the report of the Foreign Affairs Council of July 15, the cabinet has decided to more actively promote the deterrent policy. From now on, the deterrent policy will be communicated on the websites of the Netherlands Enterprise Agency (RVO.nl) and the embassy in Tel Aviv. The embassy in Tel Aviv and the RVO.nl will also actively promote the deterrent policy to Dutch businesses, for example, during information sessions. Furthermore, the possibility of expanding the application of the deterrent policy, for example to Dutch pension funds, is being explored.

The Minister of Foreign Affairs,

Caspar Veldkamp

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[3] Parliamentary document 21501-02, no. 3170